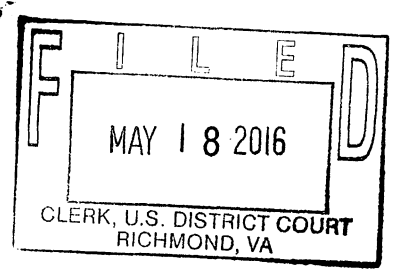


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



DAVID MEYERS,

Petitioner,

v.

Civil Action No. 3:16CV05

EDWARD WRIGHT, et al.,

Respondents.

MEMORANDUM OPINION

David Meyers, proceeding pro se, submitted a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. By Memorandum Order entered on March 4, 2016, the Court directed Meyers, within eleven (11) days of the date of entry thereof, to pay the \$5.00 filing fee or explain any special circumstances that would warrant excusing payment of the filing fee. The Court warned Meyers that it would dismiss the action if Meyers did not pay the filing fee or proffer any special circumstances excusing the payment of the same.

By Memorandum Order entered on March 22, 2016, the Court granted Meyer's Motion for an Extension of Time and directed Meyers to pay the filing fee within thirty (30) days of the date of entry thereof.

More than thirty (30) days have elapsed since the entry of the March 22, 2016 Memorandum Order and Meyers has failed to pay the filing fee. Instead, on April 20, 2016, Meyers moved to amend his § 2254 Petition. Meyers fails to offer any

explanation for his failure to pay the filing fee in a timely manner. Accordingly, the action will be dismissed without prejudice. The Court will deny a certificate of appealability.

The Clerk is directed to send a copy of the Memorandum Opinion to Meyers.

Date: May 17, 2016
Richmond, Virginia

/s/ REP
Robert E. Payne
Senior United States District Judge